

(Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations)

**§ 18946. Reporting and Valuation of Gifts.**

(a) Scope of Section. Except as specified in 2 Cal. Code Regs. sections 18946.1 through 18946.5, inclusive, gifts shall be valued at fair market value as of the date of receipt or promise. Sections 18946.1 through 18946.5 provide for the valuation of specific types of gifts in the following situations:

Passes and Season Tickets--Regulation 18946.1

Testimonial Dinners and Events, Invitation-Only Events, and Ceremonial Functions--  
Regulation 18946.2

Wedding Gifts--Regulation 18946.3

Tickets to Nonprofit and Political Fundraisers--Regulation 18946.4

Prizes and Awards From Bona Fide Competitions--Regulation 18946.5

(b) General Rule for Valuation of Unique Gifts. Whenever the fair market value cannot readily be ascertained because the gift is unique or unusual, the value shall be the cost to the donor, if known or ascertainable. If the cost to the donor is unknown and unascertainable, the recipient shall make a reasonable approximation. In making such an approximation, the recipient shall take into account the price of similar items. If similar items are not available as a guide, a good faith estimate shall be utilized.

(c) Except as specified in 2 Cal. Code Regs. sections 18943, 18944, and 18946.1, a gift must be valued, for purposes of disclosure and disqualification, even if unused, discarded or given to another person.

(d) Definitions: For purposes of this section and 2 Cal. Code Regs. sections 18946.1

through 18946.5 and section 18640, the following definitions apply:

(1) "Face Value." The term "face value" means the price indicated on the ticket, or if no price is indicated, the price at which the ticket or similar pass would otherwise be offered for sale to the general public by the operator of the venue or host of the event who offers the ticket for public sale.

(2) "Ticket/Pass." A "ticket" or "pass" means anything that provides an admission privilege to an event or function and for which similar tickets or passes are offered for sale to the public.

(3) "Invitation." An "invitation" means a request to attend an event or function by the sponsor of the event or function, that is not a ticket or pass as defined above in subsection (d)(2) of this section and 2 Cal. Code Regs. section 18944.1, and where admission to the event is provided by such invitation only.

(4) "Specific Item." The term "specific item" means a tangible item received by an official or candidate at an event that is not included among the non-cash nominal items presented to all attendees at the event.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 82028, 87207 and 87302, Government Code.

## HISTORY

1. Renumbering of former section 18726 to section 18946, including amendment of section heading, section and Note filed 1-12-94; operative 1-12-94 pursuant to Government Code section 11346.2(d) (Register 94, No. 2).
2. Editorial correction deleting irrelevant History notes (Register 94, No. 25).
3. Change without regulatory effect relocating section filed 11-17-94 pursuant to section 100,

title 1, California Code of Regulations (Register 94, No. 46).

4. Amendment of subsections (a) and (c) and new subsections (d)-(d)(4) filed 5-2-2005;

operative 5-2-2005 pursuant to Government Code section 11343.4 (Register 2005, No. 18).